

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Andrea L. Burns**

**Debtor(s)**

**BANK OF AMERICA, N.A.**

**Movant**

**vs.**

**Andrea L. Burns**

**Respondent(s)**

**BK NO. 20-10019 TPA**

**Chapter 13**

**Related to Document No. 21**

**Hearing Date: 5/28/2020**

**OBJECTION OF BANK OF AMERICA, N.A., ITS SUCCESSORS AND/OR ASSIGNS  
TO CONFIRMATION OF CHAPTER 13 PLAN**

BANK OF AMERICA, N.A. ("Movant"), objects to confirmation of Debtor's Chapter 13 Plan and asserts in support of its Objection as follows:

1. Movant's claim is secured by a mortgage on Debtor's property at 31 Alan Avenue Greenville, PA 16125
2. On March 5, 2020, Movant filed a secured proof of claim setting forth total debt in the amount of \$16,428.69 with an annual interest rate of 6.375% and pre petition arrears in the amount of \$1,240.20.
3. The underlying loan matures April 1, 2022, during the pendency of this Chapter 13 case, and therefore Debtor's plan must pay Movant's claim in full.
4. Debtor's Plan proposes to pay Movant's claim in full plus annual interest of 4.00% .
5. The mortgage executed by the Debtor requires debtor to pay taxes and insurance on and for the mortgaged premises.
6. Neither Debtor's plan nor her Schedule J provide for payment of the required taxes and insurance.
7. Movant requests that Debtor's plan be amended to provide for payment of post-petition taxes and insurance.
8. The interest rate proposed by Debtor's plan is less than the rate required pursuant to *Till v. SCS Credit Corporation*, 541 U.S. 465 (2004).
9. Accordingly, Debtor's Plan is not feasible, as it does not fully compensate the Movant.
10. Debtor's Plan fails to comply with 11 U.S.C. § 1325.

WHEREFORE, the Movant, BANK OF AMERICA, N.A., prays that the Court deny confirmation of the Debtor's Plan.

Respectfully submitted,

Date: March 20, 2020

/s/ James C. Warmbrodt, Esquire

James C. Warmbrodt, Esquire  
[jwarmbrodt@kmlawgroup.com](mailto:jwarmbrodt@kmlawgroup.com)  
Attorney I.D. No. 42524  
KML Law Group, P.C.  
701 Market Street, Suite 5000  
Philadelphia, PA 19106  
Phone: 412-430-3594  
Attorney for Movant/Applicant